

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:19-cv-00062-MR-WCM**

PARKER EXCAVATING, INC.,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
JOMCO CONTRACTING, LLC;)	
JOMCO, INC.; HIGHLANDS AT)	
CULLOWHEE, LLC; WESLEY)	
SAMUEL OWENBY; JOSEPH RILEY)	
JOHNSON; and TRICIA RUTH,)	
)	
Defendants.)	
_____)	


THIS MATTER is before the Court *sua sponte*.

On July 31, 2019, the Defendant Wesley Samuel Owenby filed a notice with the Court indicating that he filed a voluntary bankruptcy petition under Chapter 7 of the United States Bankruptcy Code. [Doc. 25]. On August 5, 2019, the Court entered an Order staying this action against Defendant Owenby but otherwise allowing the case to proceed against the other named Defendants. [Doc. 26]. Since that time, Defendants JOMCO Contracting, LLC, Highlands at Cullowhee LLC, Joseph Riley Johnson, and Tricia Ruth were dismissed from this action, and a default judgment was entered against

JOMCO, Inc. [Docs. 38, 46]. Thus, the only claims remaining in this action are the Plaintiff's claims against Defendant Owenby.

Accordingly, **IT IS, THEREFORE, ORDERED** that, within fourteen (14) days of the entry of this Order, the parties shall file a report with the Court advising of the status of Defendant Owenby's bankruptcy case. A status report shall be filed every ninety (90) days thereafter until such time as the bankruptcy matter is closed.

IT IS SO ORDERED. Signed: May 5, 2020


Martin Reidinger
United States District Judge

